

Doc Code: AP.PRE.REQ

JUN 30 2006

PTO/SB/33 (07-05)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

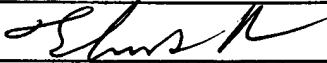
Approved for use through xx/xx/200x. OMB 0651-00xx
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)

YOR999-487

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on June 26, 2006

Signature Typed or printed name Thomas J. Ryan

Application Number

09/654,205

Filed

September 1, 2000

First Named Inventor

Feig

Art Unit

2174

Examiner

T. T. Chuong

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

 applicant/inventor. assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96) attorney or agent of record.Registration number 31,019203 327 4500

Telephone number

 attorney or agent acting under 37 CFR 1.34.June 26, 2006

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.

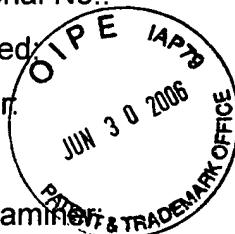
*Total of 4 forms are submitted.

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Feig, et al.
Serial No.: 09/654,205
Filed: September 1, 2000
For: RUN-TIME HYPERVIDEO HYPERLINK INDICATOR OF
OPTIONS IN HYPERVIDEO PLAYERS
Examiner: Chuong, Truc T.
Art Unit: 2174
CONFIRMATION No.: 6298
CUSTOMER No.: 27,623



Docket No.: YO999-487

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Dear Sir:

Applicants are submitting the present document concurrently with a notice of appeal for the above-noted application. Applicants are requesting that the Office review the final rejection of the claims as set forth in a final office action dated March 24, 2006 and an advisory action dated June 14, 2006. No amendments are being filed with this request.

Status of the Claims

Claims 1, 3-6, 8-11, 14, 15 and 17 are pending in the application, and stand finally rejected under 35 USC 103(a) as being unpatentable over U.S. Patent No. 7,000,242 to Haber, hereinafter "Haber", in view of M. Brown, *Using Netscape 2*, 1995, page 167, hereinafter "Brown".

Examiner's Errors:

The final office action indicates that Haber discloses a video presentation including a hypervideo hyperlink emphasis region, and that Brown discloses that a user can setup an internet browser using a different color for links. The final office action then asserts that the Haber and Brown patents, in combination, disclose the elements of claim 1. Applicants submit that the Examiner omits essential elements needed for a *prima facie* rejection.

In a response mailed May 24, 2006, from page 7 to page 9, Applicants explained that:

- (1) Haber does not disclose a video presentation including a hyperlink or other emphasis region; and
- (2) Brown does not disclose or suggest that such hyperlinks can be displayed in a gray-scale or reverse-color format.

Haber discloses a webpage generated by host server 205 includes several main areas (col. 5, lines 52-57). A first area is the video content area 305, which displays the video content (col. 5, lines 57-60). A second area is the image area 310, which displays the image which corresponds with the segment of the video content currently being displayed in the video content area 305 (col. 6, lines 4-7). The image is embedded with an image map which defines the shape and size of each of the areas in which the products are located in the image, and each region is anchored to an associated hyperlink which links to a corresponding sponsor website where information about the item featured in that area is available (col. 6, lines 21-27). Haber thus only discloses that the **still image includes hyperlinks** to specific products featured in the video and on the image. **Haber does not disclose a hyperlink or other emphasis region within the video display itself.**

Brown discloses that hyperlinks on a web page can be configured to have different colors. Brown **does not disclose or suggest that such hyperlinks can be displayed in a gray-scale or reverse-color format**. Simply providing emphasis regions having selected colors would not ensure that the colors are sufficiently distinct from the surrounding video so that the emphasis region can be clearly seen. Brown's teaching of selectable colors does not suggest that the emphasis region colors should have any relationship to the colors of the surrounding video.

For the reasoning provided above, Applicants respectfully submit that the cited combination of Haber and Brown is improper for purposes of a section 103(a) rejection of the claims of the present application.

Respectfully submitted,

6/26/06
Date



Paul D. Greeley
Attorney for Applicant(s)
Registration No. 31,019
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.
One Landmark Square, 10th Floor
Stamford, CT 06901-2682
(203) 327-4500